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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,294	12/09/2003	Lisa C. Tidwell	1DATA.104A	3652
20995 7590 02/08/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER REFAI, RAMSEY				
ART UNIT		PAPER NUMBER		
3627				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/731,294

Applicant(s)

TIDWELL ET AL.

Examiner

RAMSEY REFAI

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/US)
Paper No(s)/Mail Date 09/14/07, 12/09/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Responsive to claims filed December 9, 2003. Claims 1-24 are presented for examination.

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on May 03, 2004 and September 14, 2007 are being considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodie et al (US Patent No. 7,257,246).

4. As per claim 1, Brodie et al teach a point-of-sale device comprising:

a display; a keypad; a communications interface and a computer processor in communication with the display, the keypad and the communications interface (**column 3, lines 35-47**) the computer processor configured to request *check data* presented in association with a check-cashing transaction the computer processor further configured to obtain *the check data* from the keypad *the check data* (**column 2, lines 8-20**) and to transmit *the check data* to a remote location via the communications interface the computer processor further configured to receive via the communications interface from a check authorization system an indication of a level of risk associated with cashing the check (**column 6, lines 35-64, column 2, lines 23-60**), the computer processor further configured to display on the display a message based at least in part on the indication (**column 13, line 60-column 14, line 15**).

Although Brodie et al teach determining the check type (**column 10, line 57**) which is evidence that multiple check types can be cashed in Brodie et al's system, they fail to teach that the check is a *payroll check* and

Art Unit: 3627

that the *location information about an employer who has issued a payroll check is obtained and used for risk assessment*. However, it would have been obvious to one of ordinary skill in the art to modify Brodie et al's system to include this feature because doing so would allow for Brodie et al's system to cash payroll checks by verifying that the issuer of the check (employer) is a local company.

5. As per claim 2, Brodie et al teach wherein the display is further configured to display a prompt to an operator of the point-of-sale device requesting the *check data* (**column 2, lines 8-15, column 4, lines 29-44, column 6, lines 15-23**).

6. As per claim 3, Brodie et al teach wherein the display is configured to display the prompt in response to a message received from the check authorization system via the communications interface (**column 13, line 60-column 14, line 15**).

7. As per claim 4, Brodie et al teach a point-of-sale device comprising:
a communications interface; an input system and a computer processor in communication with the communications interface and the input system (**column 3, lines 35-47**), the computer processor configured to obtain from the input system *check data* associated with a check presented for processing (**column 2, lines 8-20**) and to transmit to a remote location via the communications interface information about the *check data*, the computer processor further configured to receive via the communications interface from a check authorization system an indication of a level of risk associated with processing the check (**column 6, lines 35-64, column 2, lines 23-60**).

Brodie et al fail to teach that *location related data about a check issuer is obtained and used for risk assessment*. However, it would have been obvious to one of ordinary skill in the art to modify Brodie et al's system to include this feature because doing so would allow for Brodie et al's system to authenticate the check by verifying that the check issuer is a local company.

8. As per claim 5, Brodie et al teach wherein the input system comprises at least one of: a keypad, a voice recognition system, a touchscreen, an optical character reader, a scanner, a smartcard reader, and a stylus (**column 3, lines 45-47**).

9. As per claim 6, Brodie et al fail to teach wherein the information about the check issuer is *a company name associated with the check issuer*. However, it would have been obvious to one of ordinary skill in the art to modify Brodie et al's system to include this feature because doing so would allow for Brodie et al's system to authenticate the check by verifying that the check issuer is a local company.

10. As per claim 7, Brodie et al fail to teach wherein the information about the check issuer that the computer processor is configured to transmit comprises information about a company location associated with the check issuer. However, it would have been obvious to one of ordinary skill in the art to modify Brodie et al's system to include this feature because doing so would allow for Brodie et al's system to authenticate the check by verifying that the check issuer is a local company.

11. As per claim 8, Brodie et al teach further comprising a display, wherein the computer processor is in communication with the display and is configured to display on the display a message based at least in part on the indication (**column 13, line 60-column 14, line 15**).

12. As per claim 9, Brodie et al teach wherein processing the check comprises cashing the check (**abstract; check cashing**).

13. As per claim 11, Brodie et al teach wherein obtaining location-related data about the check issuer comprises reading a magnetic ink character recognition (MICR) line from the check (**column 6, lines 30-34**).

14. As per claim 12, Brodie et al teach wherein obtaining location-related data about the check issuer comprises scanning an image of at least a portion of a check associated with the check transaction (**column 6, lines 18-30**).

Art Unit: 3627

15. As per claim 13, Brodie et al teach using optical character recognition (OCR) technology to obtain information about the check issuer from the scanned image (**column 6, lines 18-30**).

16. As per claim 14, Brodie et al teach wherein obtaining location-related data about the check issuer comprises requesting the location-related data from a presenter of a check associated with the check transaction (**column 2, lines 8-15**).

17. As per claim 16, Brodie et al teach wherein the financial transaction comprises cashing a negotiable instrument (**column 1, lines 20-30**).

18. As per claim 17, Brodie et al teach wherein the negotiable instrument is a money order, a traveler's check, a personal check, a corporate check, company insurance refund check, a government check, such as a tax refund check, Social Security check, payroll check, or other government-issued check, a bank check, official check, or a convenience check (**column 1, lines 20-40**).

19. As per claim 18, Brodie et al teach a display, wherein the computer processor is in communication with the display and wherein the computer processor is further configured to display on the display a message based at least in part on the indication (**column 13, line 60-column 14, line 15**).

20. As per claim 10, 15, and 19-24, these claims contain similar limitations as the claims above, therefore are rejected under the same rationale.

Conclusion

The prior art made of record and not relied upon, which is considered pertinent to applicant's disclosure, are cited in the Notice of Reference Cited form (PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMSEY REFAI whose telephone number is (571)272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m. .

Art Unit: 3627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
January 30, 2008
/R. R. /
Examiner, Art Unit 3627

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627